

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

03940012AA

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/009799

INTERNATIONAL APPLICATION NO.  
**PCT/US01/14231**INTERNATIONAL FILING DATE  
**02 May 2001**PRIORITY DATE CLAIMED  
**04 May 2000**

## TITLE OF INVENTION

**BIOMORPHIC RHYTHMIC MOVEMENT CONTROLLER**

## APPLICANT(S) FOR DO/EO/US

**Ralph Etienne-Cummings  
M. Anthony Lewis**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

**Forms PCT/IB/301,304,308**

U.S. APPLICATION NO. (IF KNOWN) <b>107009799</b> <small>SEE 37 CFR 1.53</small> PCT/US01/14231	ATTORNEY'S DOCKET NUMBER <b>03940012AA</b>	
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24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> <div style="margin-top: 5px;"> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b> </div> <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> </div> <div style="text-align: center; margin-top: 10px;"> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> </div> <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="margin-right: 20px;"> <input type="checkbox"/> 20    <input type="checkbox"/> 30         </div> <div style="border: 1px solid black; padding: 2px 10px;"> <b>\$740.00</b> </div> </div>	<b>CALCULATIONS    PTO USE ONLY</b>
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Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (c)). <div style="float: right;"> <input type="checkbox"/> 20    <input type="checkbox"/> 30         </div>				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	67    - 20 =	47	x    \$18.00		<b>\$846.00</b>
Independent claims	7    - 3 =	4	x    \$84.00		<b>\$336.00</b>
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$1,922.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.					<b>\$961.00</b>
<b>SUBTOTAL =</b>					<b>\$961.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <div style="float: right;"> <input type="checkbox"/> 20    <input type="checkbox"/> 30         </div>					<b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>					<b>\$961.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <div style="float: right;"> <input type="checkbox"/> </div>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>					<b>\$961.00</b>
					Amount to be: refunded
					charged

  

a. <input checked="" type="checkbox"/> A check in the amount of <b>\$961.00</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-2041</b> . A duplicate copy of this sheet is enclosed: d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.         </div> <b>SEND ALL CORRESPONDENCE TO:</b>  <div style="border: 1px solid black; padding: 5px;"> <b>Michael E. Whitham</b>  <b>Whitham, Curtis &amp; Christofferson, P.C.</b>  <b>11491 Sunset Hills Road, Suite 340</b>  <b>Reston, VA 20190</b> </div>
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<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>Michael E. Whitham</b>  <b>Whitham, Curtis &amp; Christofferson, P.C.</b>  <b>11491 Sunset Hills Road, Suite 340</b>  <b>Reston, VA 20190</b> </div>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> </div> <div style="border: 1px solid black; padding: 5px;"> <b>Michael E. Whitham</b>          NAME   <b>32,635</b>          REGISTRATION NUMBER   <b>December 13, 2001</b>          DATE       </div>
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